

### **REMARKS**

Claims 1-43 are now pending in the application. Of these pending claims, Claims 1, 2, 4-32 and 34-43 stand rejected, Claim 33 is objected to, and Claim 3 has been cancelled. Minor amendments have been made to the specification and claims to simply overcome the objections to the specification and rejections of the claims under 35 U.S.C. § 112. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **SPECIFICATION**

The specification stands objected to for certain informalities. Applicants have amended the specification. Therefore, reconsideration and withdrawal of this objection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 102 AND 35 U.S.C. § 103**

Claims 1-17, 19-21, 38, and 40-43 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Cook, et al. (U.S. Pat. No. 5,989,293). Claims 1-17, 19-23, 25-32, and 34-36 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Gray, III (U.S. Pat. No. 5,800,555).

Claims 18 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Cook, et al. (U.S. Pat. No. 5,989,293). Claims 24 and 37 stand rejected under 35

U.S.C. § 103(a) as being unpatentable over Gray, III, (U.S. Pat. No. 5,800,555). In view of the amendments and arguments herein, these rejections are respectfully traversed.

In characterizing Cook, et al. (U.S. Pat. No. 5,989,293), the Examiner states that the Cook reference teaches a first integral generally spherical concave bearing surface which is a polished metal (see column 3, line 10). Applicants respectfully traverse this characterization. Applicants note that while Cook et al. may teach a machined inside diameter, Cook does not teach a polished concave bearing surface configured to engage an articulating surface of a femoral component as is claimed. Applicants further note that each of the references cited utilize a bearing liner component. These bearing liner components each have a concave smooth bearing surface which interfaces with the articulating surface of the femoral component.

The Examiner's attention is directed to amended independent Claims 1, 22, 27, and 34 which have been amended to clarify that the "integral generally spherical bearing surface" is a polished bearing surface. These independent claims have further been amended to clarify that the "integral generally spherical bearing surface" is configured to interface with an articulating surface of a femoral component." This is opposed to the support surface which simply supports a bearing insert and does not function as an articulating bearing.

With respect to the Examiner's rejection of independent Claim 38, the Examiner stated that Claim 38 was anticipated by the '293 reference. Applicants respectfully traverse this characterization. Applicants note that the reinforcement ring of the '293 reference is not reinforced, let alone reinforced with an integrally molded reinforcement ring.

### ALLOWABLE SUBJECT MATTER

The Examiner states that Claim 33 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicants have non-narrowingly amended Claim 33 to include the limitations of the base claim and any intervening claims. Therefore, Claim 33 should now be in condition for allowance.

### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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